

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division

**Case Number: 22-21456-CIV-MORENO**

SUNRISE OF CORAL GABLES PROPCO,  
LLC,

Plaintiff,

vs.

CURRENT BUILDERS, INC.,

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE GOODMAN'S REPORT AND  
RECOMMENDATIONS**

THE MATTER was referred to the Honorable Jonathan Goodman, United States Magistrate Judge, for a Report and Recommendation on Cross-Motions for Summary Judgment. The Magistrate Judge filed a Report and Recommendation (**D.E. 24**) on **October 17, 2023**. The Court has reviewed the entire file and record. The Court has made a *de novo* review of the issues that the objections to the Magistrate Judge's Report and Recommendation present, and being otherwise fully advised in the premises, it is

**ADJUDGED** that United States Magistrate Judge Jonathan Goodman's Report and Recommendation is **AFFIRMED** and **ADOPTED**. Accordingly, it is

**ADJUDGED** that Plaintiff's Motion for Summary Judgment is **DENIED** and Plaintiff's objections (**D.E. 70**) are **OVERRULED**. Further, it is

**ADJUDGED** that Defendant's Motion for Summary Judgment is GRANTED IN PART AND DENIED IN PART. The Court GRANTS summary judgment in favor of the defendants only as to Plaintiff's Counts III (unjust enrichment) and IV (quantum meruit). It is undisputed that a contract exists, but there are plenty of factual disputes on who breached the contract and on the timing of the breach. It is

DONE AND ORDERED in Chambers at Miami, Florida, this 12<sup>th</sup> of March 2024.

  
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FEDERICO A. MORENO  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

United States Magistrate Judge Jonathan Goodman

Counsel of Record